

SWORN DECLARATION

STATE OF KENTUCKY)
}
COUNTY OF FAYETTE)

The purpose for this declaration is to attempt to explain in an organized manner the situations and circumstances that have plagued my life and how they seem to continue to have some ongoing effect over my thoughts and actions. This document is sworn to be true and correct as having been made under oath.

1. My name is Steven M. Rennick Sr., and I was born in Cincinnati, Ohio on July 3, 1949.

2. My childhood was very good. My parents treated myself and my brothers and sisters with much love. We were not wealthy and both my parents had to work hard, but never failed to provided us with a good home and what things we needed.

3. My father was a diesel mechanic. He was a foreman at Mack Truck and at Mid-West Emery. My dad would take me to work with him on weekends and days that I was not in school. I loved going to work with him and these are some of my best memories. I think this is significant because this was the birth of my love for trucks, engines, and mechanics. He taught me a lot and I loved him very much. Years later, when I had built my own trucking company I would take my son Steven Rennick Jr. to work with me. I see now that those memories from Dad and the garage made me want to work with my son and keep us very close. The business belongs to my son now and I am the happiest when I am working with him.

4. My mother took in ironing at home for other people. She also made us kids a wonderful home. She maintained a spotless house and was a fantastic cook. I now look back on how hard both my parents worked just to provide us a good home. Somehow they made it look so easy and they never complained. My parents loved each other and never argued. They got along great.

5. My family was Catholic and I mean real Catholic. We went to Catholic grade school and to Mass every Sunday. My mom and dad families were from Germany. My mother's maiden name was Vonderhide. My mom was one of seven siblings and my dad was one of fourteen. Holidays were special times. The families were large and we would spend one holiday with one side and another holiday with the other side. There were always a mass of people and a lot of good German food.

6. I was not the greatest at school, I guess I had cars on the brain more than studies. I remember at real early ages I was playing with motors, bikes or go-carts. My friend Bob Stoinoff and I were always buying old cars with no motors; we would just sit in them and talk about how we were going to fix it up. I mean old cars like: a 1936 Ford Coupe, and a 1947 Ford Convertible. I had a 1933 Plymouth Coupe my dad let me take to his work. I would go to work with him and I would play and work on it. It ran! One day when my dad had left work for a meeting, I snuck the car out. The only problem was that there was no linkage to the accelerator. I ran a string through the windshield and I was off and running.

When my dad found out he was mad; but he also laughed. He told me not to do it again.

7. When I was seventeen years old, I decided to join the service to fight for the country I was so proud of. I wanted my family and friends to be safe and I thought I was doing what I was suppose to do. In retrospect, I realize that I did not even know what we were fighting or why. I am not real sure anybody knows, to be truthful. At this time I was dating Phyllis Walters, I loved her and wanted to marry her; but I decided I needed to straighten out this matter in Vietnam. Boy, was I ever gun-ho!

8. I was in Vietnam by November or early December 1967. I was 18 years of age and quickly realized I was a long way from home. It was exciting and I felt what I was doing was important. I knew whenever I got home there would be many proud family and friends who would respect and comment us guys that were fighting for our great country.

9. I was with the 113th Artillery Unit. My duty was that of a mechanic. While we serviced everything from generators to howitzers, there was also a lot of other jobs, from securing parameters to digging foxholes and bunkers. I was attached to a group that would be sent with three howitzers (better known as cannons). Three of the 105 cal. howitzers would be air lifted out in the field away from the LZ where there was another six cannons. The three air lifted weapons would support the First Cavalry or the 101st on their missions. When the three cannons

were dropped off we would establish perimeter, the mechanics would stand guard. In addition to our mechanical duties we would maintain the generator. We also dig bunkers for guards which would be surrounded by layers of sandbags. We were right on the front lines (or so it seemed to me).

10. On a rainy day in mid-December, 1967, three guns were air lifted from LZ English and sent to the field. We were to support a field mission. When the guns were sat down in the field we would have to jump 8 to 10 feet, then unhook the cables that were supporting the cannons in transport. On the day of this certain drop we all had to immediately "dig in" this was the beginning of the Tiet Offensive. Things were not good there and everyone seemed very tense. This was the first time I had sensed this type of emotion.

11. That night after we were dug in they dropped mail. I got a package from Phyllis. It was chocolate chip cookies. We all sat around eating C-rations and cookies. When it got dark the mechanics went to their assigned bunkers. Around mid-night the guns started firing. The guard bunker I was in got hit with a rocket. I was lying on the ground in a foxhole sleeping when the rocket hit.

12. After the rocket hit the bunker all I saw was a flash of bright light. The guys on the top of the bunker were on fire; they were blown apart. One guy known as "Mississippi" was burned and he appeared to be melting. The only thing that held him together was his flack jacket. His skin was melted off.

He was a charred body still on fire. Smoke came from his mouth. I held him in my arms, he pleaded and begged me to stop the pain. He knew he was not going to make it. He continued to beg me to end his suffering, there was little left he was melting. I took my .45 cal. placed my hand over his eyes and put him to rest. We were being over-run. Bodies were everywhere! I picked up an M-60. I fired it until the barrel turned bright red! I tried to kill every VC I could see. When daylight came there was a great amount of air support.

13. There I was, I could hardly see or hear for all the flashes that night. I was hit on my left arm and shoulder and needed stitches in my forehead but I was still alive. What followed was not much better. The survivors started to pile up the dead bodies, both ours and the Viet Congs. They had a line of dead Viet Congs about five bodies high and 50 feet long. I was in a daze. Here I was just a teenager and I had just seen more death and destruction than I could have ever imagined. I was sick to my stomach and get just as sick everyday when the memories flood into my mind. From then on at the time I could not shut my eyes without seeing what happened that night; especially what happened to my friend Mississippi.

14. I was still a teenager but I was different. I was forever changed, life had no meaning anymore. Death was so normal, so common place, I could take a life with no problem. Hell it was war!

15. After my first tour in Nam I went home on leave. Phyllis and I got married. When I got off the plane from Vietnam I was wearing my greens. I expected people to see the uniform and smile. I thought they would appreciate those of us who were "fighting for their freedom." Boy, I was wrong! One person spit at me and some others called me names. I could not believe it, I was never prepared for that kind of welcome. I don't know whether I was mad, hurt, or shocked but I got out of uniform as fast as possible.

16. After I was married I had to go to Wright Patterson Air Force Base for surgery on my back because of the injuries I received in the war. After my recovery I had to return to Vietnam. I had signed for a six month extension. I still don't know why!

17. When I returned to Nam things were different. I knew the people back at home were not behind us, in what we were doing. I stayed to myself, my friends and buddies had gone home or died. Everybody was new, and everyone new that it's the new guys that usually get killed, I stayed away as much as possible. I made it through the next six months with no injuries, however, I did contract Malaria and believe me that was luck! I never felt so bad in all my life. That is one bad disease to have. I was really sick. I had never felt so bad. I was half way around the world, sick and confused. I felt like I was going to die and I wish I would.

18. By this time my nightmares and cold sweats were getting

worse. My friends that died that December night never left my side. The dreams and nightmares were terrible, waking up soaking wet, out of breathe, reliving the most traumatic experience of your life. I never knew these dreams and nightmares would be with me the rest of my life. To this date when I hear loud noises or gun shots I just close my eyes and my eyes and my mind goes right back to that time and that dreaded place.

19. My friends from that night don't blame me for what had to be done, but often I blame myself. I can't explain how much I sometime wish I had died that night because my life will never be the same. That one night, that one battle, those few hours out of my entire lifetime will never go away, they never stop. It is as though my friends are calling me to join them. I just want it to end. That night my life changed for the worse.

20. After I finally got home it seemed the changes in me were more than I realized or could understand. I was married to the person I truly loved and was surrounded by my loving family but I didn't want to be around them. I would make up lies and excuses, or pick a fight with them so I could get out of being around them. I did not want to go to anything: parites, weddings, dinners, etc., were not for me. I worked and worked. In fact that is all I did as many hours a day as I could. I felt safe at work and did not want to stop and give myself time to think. When I have idle time my mind would go back to that night and that was the one place I did not want to go. As long as I was at work my mind was occupied and that was just fine for me.

21. I was also in a lot of pain and physically I was also suffering. My back was the source of great pain. The surgery may have repaired certain problems, but just like my mental problems, it seems my back has been a major source of nagging pain to this day. I was also getting very frequent and severe headaches. These headaches while not as frequent as they were are still very severe when they come on. At the point after I came home I was also having problems with my left hand and arm, it seemed to be numb all the time like the tingling feeling when a hand or foot goes "to sleep." But the worst of all are my memories, they haunted me, they would not leave me alone, they just got worse and worse and they are still around and still getting worse to this very day.

22. I never set out to get in trouble with the law. I was raised to respect the law and tried to do the things I thought were right. I was always feeling alone, It was as though I thought that everyone I met would somehow know what I had done in Vietnam. I was very messed up and suffered from low self-esteem. I wanted people to like me and accept me but I went about it in all the wrong ways. I would try to buy friends with favors, gifts, and by always being the one to go along with the crowd. My social skills didn't develop properly. I still have problems even today. I try my best to do anything and everything I am asked to do.

23. I also now an coming to understand that one of my problems is not being able to say NO! I realize this is a real

problem and unfortunately it still remains part of my life. It is as though I feel I have to do what people want or I will suffer some terrible consequences. In retrospect, I must confess that this tendency has caused me many problems and heartaches.

24. In September, 1972, I was 23 years of age when I experienced my first brush with law enforcement. I worked for a Dodge Dealer and my brother was friends with someone higher up in the business. David had come to have some purchase order forms from the dealership and used them to purchase some wheels and some other parts from a couple of local suppliers. When my father and I found out what happened we got the wheels and parts and returned them to their rightful owner. In the process I became involved with the police and was charged with a petty offense of receiving stolen property. The property was valued at \$40 - \$50.00 in which I was accused of receiving from my brother David. This is a good example of the type of really stupid positions I get myself into. Somehow, because I worked for the Dodge Dealer I felt I had to get involved in making sure everything was covered. In the process I end up with the criminal conviction for something I had nothing to do with. My brother talked me into being involved and as a result I received one year of probation from the Hamilton County Municipal Court.

25. In May of 1983, some ten years after my first legal encounter I was approached by a friend Tim Osterbrook who asked me if my business got discounts on having vehicles painted. I told him that we got a pretty good deal at Macco and he asked

me if I would take the car he was driving (a Pontiac Grand Prix belonging to Osterbrook's girlfriend) and have it painted. Naturally I couldn't say no and since there was nothing wrong with having a car painted, I took it to Macco and had it done.

26. I did not know that in November 1981 Tim's girlfriend, Deborah Lynn Wells O'Neal had reported that car as stolen. In January 1983 the Police Department made a routine traffic stop and found Tim Osterbrook driving Deborah's stolen Grand Prix. An investigation was made and it showed that I had taken the car to be painted and had actually paid for the paint job. I never owned, borrowed or traded this vehicle. I drove it one time to have it painted. I never insured this vehicle or had any ownership in it.

27. I ended up being charged with receiving stolen property in the Hamilton County Court of Common Pleas. I was convicted and was sentenced to two years with all but 180 day suspended and five years of probation, as well as \$2899.00 in restitution.

28. I never intended to do anything concerning this vehicle except do a favor for my "friend" Tim Osterbrook. He wanted me to plead guilty so there would be no trial. My lawyer said it would save a big lawyer's fee which I could not afford and he felt I would get probation or just a few days since there was no financial loss because we paid the restitution. The bottom line is now my inability to say no and stand up for myself cost me \$3,000.00 and six months of my life.

29. On February 6, 1986, Paul Ericson (a truck driver at

my company) stole a Freightliner truck from Curtsinger Trailer Truck Sales in Lexington, KY. It is alleged that after he stole the truck he drove it to my trucking company and painted the truck and changed the serial numbers. It was further alleged that Ericson then drove the truck hauling loads for my company. For the record, I have never owned or operated a freight hauling business nor did I ever operate this kind of service. I owned a dump truck operation which is a much different type of business. I also did not paint trucks at that time and would not have painted a truck at that time. Once again someone around me was in trouble and I was going to get right in the middle of another mess.

30. I was charged with Interstate Transportation of a stolen vehicle in the United States District Court for the Southern District of Ohio. I was sentenced to three years, two years and six months were susupended and I was placed on probation for three years. Which was successfully terminated on October 4, 1990.

31. I never stole the above vehicle nor was it ever used by my business in any way. Paul Ericson new that I tried to keep good employees and that I would help him with his problem. In other words he was able to get me involved in another incident in which I should not have even known about.

32. On March 14, 1989, a friend of mine, David Marsh had been wanting to learn to drive a truck. I agreed to teach him and we were out on what should have been our last lesson. We were on one of the most dangerous roads when a vehicle was coming.

for us and would have run us off the road. I was driving and I swerved to avoid the car coming dead ahead. When my vehicle left the road it started down a steep hill with brush and trees. I couldn't see what was happening as we seemed to be falling further and further. When the truck finally stopped I realized that Dave was no longer in the truck. I started yelling for him but there was no response. I was pretty banged up and was having trouble getting back up the hill. I was constantly yelling and looking for Dave. Finally, I found why he wasn't answering me. Dave's door must have come open at some point and a tree had literally pulled him from the truck, his head was more or less decapitated. Once again a friend loses his life in my presence. This became a real set back for my PTSD. Now Dave joined in my nightly dreams which were more than I could cope with. He too, visits me almost every evening.

33. In November of 1990, I was charged with Tampering with Vehicle Identification Numbers in the Hamilton County Court of Common Pleas. I owned a 1978 Freightliner and a 1985 Freightliner both of these vehicles were owned out right by myself and were not under any lien or surety. I was taking a frame from one vehicle and placing it on the other. I called the Department of Motor Vehicles and asked them what to do. In compliance with the instructions given, I placed both the old and the new numbers as I was told. I was also charged with theft but this time I went to trial. I was found not guilty on the theft charge. I appealed the conviction and still ended up getting a one year

sentence of which I served one month. This again was another mess up in my life and this time I had gone to great efforts to do this right but failed for reasons I do not understand. I owned both of these vehicles, they were never stolen and were my legal property I fixed these vehicles and did exactly what the DMV instructed. Yet, it was still screwed up and resulted in another crime.

34. Sometime in late 1990 James "Lefty" Sandlin brought a 1979 Ford semi-tractor, a lowboy trailer, and two 1990 Fiat Allis bulldozers to my place of business. The semi-trailer had blown it's rear end and had to be junked. My business is located at 1975 North Bend Road. Sandlin had asked if he could leave the property at my place until he figured out what he was going to do. At this stage I was under the presumption that Sandlin was the owner of the property. Only later did I learn the property was reported stolen on July 3, 1990. One very strange part of this is the fact that this property was allegedly stolen from 4872 North Bend Road; which is just a couple of blocks from my place of business. The property sat outside my business for a long time and I would never have allowed stolen property to sit outside my business in plain view of everyone including the alleged owner.

35. There came a time when I asked Sandlin if I could rent the bulldozers to demolish an old house on a farm my wife had inherited from her father. I paid (by check) \$300.00 to rent the equipment and we hauled it all to Walters Farm in Irvine,

Kentucky. At about the same time I further made a deal to buy certain parts like the seat and radio out of the 1979 Ford Semi-tractor. I also paid for these items by check. At this time Sandlin had determined the Ford was only good for parts and scrap. All of this property was left on the farm pending a request from Mr. Sandlin.

36. In March, 1992, I was charged in the United States District Court for the Eastern District of Kentucky with Receiving Stolen Property Transported in Interstate Commerce. After my arrest the government kept proposing the matter could be dismissed if I could give information on a Dr. Winston who was somehow connected to the property. Unfortunately, I knew nothing to tell except that I heard Winston was a quack. I simply didn't know anything to tell. On advise from counsel I again pled to a crime I never knew I committed. As a result I was sentenced to twenty-four months in prison and three years supervised release. On July 15, 1994, I was allowed to complete my sentence in the Talbert House for Men Program in Cincinnati, Ohio.

37. At the risk of sounding repetitive, I once again was being punished for a crime I never set out to do. I still maintain I should not have pled because I never knew or agreed to have stolen property around me. I had no reason to suspect the property was stolen. I never made any attempt to hide the items and I actually paid to rent the stolen property

38. I do not know how or why the lawyer convinced me to plead guilty. However, I never knew the property was stolen and

the thought of it being stolen was absent. I had been deceived from the very beginning by trusting and never saying no or even asking the questions a prudent man should have asked.

39. My current case is not much different. Everyone who really knows me, knows that I have never dealt in drugs, used drugs or had anything to do with them. I trusted the Jamaicans that rented space in our garage on North Bend Road. They paid their rent on time and were recommended by a former tenant that had been in that space for many years. There was no reason to suspect anything. I believed their sole business was sponsoring Regae shows around the country. Phillip had paid me on two prior occasions to drive him and his associate to Arizona. I had taken them in a motorhome I had purchased for my drag racing business. Phillip had led me to believe he was going to help sponsor a race car. He certainly knew my hot button. Drag racing is in my blood. I love it and its the one thing I understand and can do. I would have driven Phillip to the moon if it would help him get involved in the racing business.

40. I never hauled any drugs on any trip to anywhere. This is one allegation that cannot be truthfully proven because it is not true. God and my family knows it is not true. It just never happened. It is obvious that Phillip and Eddie Moore and Matt Elliot were doing something with drugs, but I wasn't. I understand that I stood in court and pled guilty. I understand I was under oath and agreed with all the nonsense and lies and insults. But I also had no choice. When I consider the pressure

of that morning and how Matt and Wayne approached me and the lies from all three lawyers which had been paid by me; I get physically ill. It was the biggest most destructive, most damning thing I have ever done. I trusted everyone there, my friends and our lawyers. When they tried to calm me down by saying it was a fictional plea I was entering; I was stupid and trusting enough to believe them. If I sound angry, I am. I am angry at my lawyers, people I trusted who led me down a path I should never have traveled. I need help! I need someone to listen. I could never have been convicted at trial and that is precisely why the government has fought so hard to keep me from proving my case. It is also the same reason the court won't release grand jury testimony of Officer John Mercado, because Robert Brichler knows that that testimony has now been contradicted by him under oath in a separate proceeding.

41. Moreover, I have a very short period of time remaining on my sentence and I should be home in less than a year. I also won't ever forget the voice of John Mercado at my shooting as he yelled, "get him, get him!" These things haunt me every day. Everyday, I travel to Vietnam, to that night that started the destruction of my life. I relive the truck wreck, each of the courtroom sentencing, and all these things that should never occurred. I remember being shot by Mercado and I believe all the times I tell my story to unbelieving ears. I need help. I asked my psychologist here at the institution, if he could do a study on me because I think it would help.

He said it was a good idea but he could only do it by order of a court. This affidavit will accompany my motion to the court for this study and I pray it will be granted.

FURTHER AFFIANT SAITH NAUGHT.

Steven M. Rennick, Sr.
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The foregoing was executed before me by Steven M. Rennick, Sr. who is known to me personally or who provided photo identification. Executed on this 30th day of July, 2007.

Lucy C. Stone
Notary Public, State at Large
Kentucky

6/27/2010
My Commission Expires: